

Application No.: 09/917,700

Docket No.: 21994-00026-US

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

The Office Action and prior art relied upon have been carefully considered. In an effort to expedite the prosecution Claims 9 and 10 have been amended to clarify the claimed invention. Newly added claims 11-15 are identical to claims 3-7 but depend from Claim 10.

The Examiner's objection to the drawings should be withdrawn for the reasons set forth below.

Claims 9 and 10 were rejected under 35 U.S.C. 102(e) as being anticipated by Tateishi (US 6,282,160). Claims 3-7 were rejected under 35 U.S.C. 103(a) as obvious over Tateishi in view of Umezawa (US 5,790,492).

According to claim 9 of the present invention, a pit signal reproduced from the pit recording area 2 is detected by a tangential push-pull signal. The tangential push-pull signal is detected by a light detector 11, which has a pattern of areas as shown in Fig. 3. The pattern comprises four areas A, B, C and D in a direction of a tangential line of the track and in a tangential direction orthogonal to the tangential line.

The tangential push-pull signal is the signal detected by the difference of two areas divided in the tangential direction orthogonal to the track and described as $(A+D)-(B+C)$ (see page 9, lines 15-22 of the specification).

Tateishi et al. (US 6,282,160) discloses a push-pull signal PP. As it is apparent from Fig 3., the push-pull signal PP which outputted from the subtractor 34 is expressed as $(21a+21b)-(21c+21d)$, and it is a difference of two photo-sensing areas divided by a dividing line 21L which is in a direction of a tangential line of the track T.

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That is, the push-pull signal PP is a difference between a first area comprising the photo-sensing areas 21a and 21b and a second area comprising the photo-sensing areas 21c and 21d. The first area and second area are aligned in a direction of a tangential line of the track T. Thus the push-pull signal PP taught by Tateishi et al. is different from the tangential push-pull signal in the present invention and fails to teach the tangential push-pull signal set forth in the claims.

The secondary reference to Umezawa is relied upon by the Examiner for its showing of a Viterbi decoder. However, the combination of references in the 103 rejection fails to teach the entire invention claimed.

The Examiner's objection to the drawings should be withdrawn since the claimed subject matter is clearly shown in Fig. 3 and described in the specification at page 8, line 18 – page 9, line 34. Fig. 3 and the related description relate to light detector 11 having four areas wherein the first area to fourth area and the first pair to fourth pair come into play as claimed in the two directions depicted in Fig. 3.

In view of the above, consideration and allowance are, therefore, respectfully solicited.

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

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The Director is hereby authorized to charge any fees, or credit any overpayment, associated with this communication, including any extension fees, to CBLH Deposit Account No. 22-0185, under Order No. 21994-00026-US from which the undersigned is authorized to draw.

Dated: April 25, 2005

Respectfully submitted,

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